

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA

v.

JAMES PROUDFOOT,
a/k/a "REGGIE"

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1:12-cr-00083-JAW-5

ORDER ON MOTION TO REDUCE SENTENCE

Based on the retroactive drug calculation guideline which took effect November 1, 2014, James "Reggie" Proudfoot moved on April 20, 2015 for a reduction in his sentence. *Mot. for Modification of an Imposed Term of Imprisonment Pursuant to 18 U.S.C. § 3582(c)(2), Amendment 782* (ECF No. 1100). *See U.S. Sentencing Guidelines Manual* § 1B1.10(d) (2014). At his February 4, 2014 sentencing hearing, the Court sentenced Mr. Proudfoot to 63 months incarceration. *J.* (ECF No. 988).

Mr. Proudfoot's guideline sentence was calculated as follows: (1) he was held responsible for 400 grams of cocaine and 6.66 grams of oxycodone, which were converted to 124.62 kilograms of marijuana equivalent, for a base offense level of 26, (2) he obstructed justice by failing to appear as ordered for a judicial proceeding and received a two-level increase to 28, (3) his criminal history category was III, and (4) his applicable guideline range for imprisonment was 97 to 121 months. *Statement of Reasons Attach. 1 Findings Affecting Sentence* at 1 (ECF No. 989). The Court imposed a variant sentence of 63 months. *J.*

Under the newly amended drug calculations, Mr. Proudfoot's base offense level would be reduced to 24 and his total offense level would be 26. With a criminal history category of III, the revised guideline range would be 78 to 97 months.

Because the sentence the Court imposed is below the low end of the revised guideline range, Mr. Proudfoot is not eligible for any further reduction. *See U.S. Sentencing Guidelines Manual* § 1B1.10(b)(2)(A) ("the court shall not reduce the defendant's term of imprisonment . . . to a term that is less than the minimum of the amended guideline range").

The Court DENIES James "Reggie" Proudfoot's Motion for Modification of an Imposed Term of Imprisonment Pursuant to 18 U.S.C. § 3582(c)(2), Amendment 782 (ECF No. 1100).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 28th day of April, 2015

Defendant (5)

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TERMINATED: 02/04/2014
also known as
REGGIE
TERMINATED: 02/04/2014

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